

## **RESOLUTION NO. 188**

### **RESCINDING RESOLUTION NO. 205 FOR 2019 AND AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 2A LINCOLN AVENUE (TAX MAP NO. 44.1-1-7.2) AND 201 SPRING STREET ROAD (TAX MAP NO. 44.1-1-7.1) IN THE TOWN OF COLONIE TO T ROOF INDUSTRIES LLC**

Introduced: 5/11/20

By Audit and Finance Committee:

WHEREAS, the County of Albany ("County") has obtained "in rem" delinquent real property tax lien foreclosure judgments against the parcels of real property located in the Town of Colonie commonly known and described as 2A Lincoln Avenue (Tax Map No. 44.1-1-7.2), Parcel #1, and 201 Spring Street Road (Tax Map No. 44.1-1-7.1), Parcel #2, which judgments enable its Enforcing Officer to convey said parcels to the County of Albany or its assignee, and

WHEREAS, T Roof Industries LLC has expressed an interest in acquiring said parcels from the County for economic development purposes for the sum of \$336,000, and

WHEREAS, T Roof Industries LLC has indicated that acquisition of said parcels will result in the economic development of these abandoned environmentally contaminated parcels which will move them into property tax revenue-generating assets and the creation of jobs, thereby fostering the type of economic development indicated in the County's Delinquent Tax Foreclosed Properties Disposition Plan adopted pursuant to Resolution No. 29 for 2019, now, therefore, be it

RESOLVED, By the Albany County Legislature that Resolution No. 205 for 2019, is hereby rescinded in its entirety, and extinguished, and of no further force or effect, and, be it further

RESOLVED, That the Albany County Legislature hereby authorizes the County Executive, upon receipt of notice from T Roof Industries LLC that it has reached an agreement with the New York State DEC for a Remedial Action Work Plan for Parcel #1 and upon confirmed receipt by the County Director of Finance of the sum of \$336,000 in certified funds from T Roof Industries LLC, which is due and payable to the County at the closing of the conveyance and transfer of title to Parcel #1 to T Roof Industries LLC, which sum shall be non-refundable, the County Executive shall execute on behalf of the County any documents necessary to convey title to Parcel #1 to T Roof Industries LLC by a Deed by Assignment which shall be drafted by the Enforcing Officer in conjunction with the Albany County Attorney's Office, and be it further

RESOLVED, That the Albany County Legislature hereby authorizes the County Executive, upon receipt of notice from T Roof Industries LLC that it has reached an agreement with the New York State DEC for a Remedial Action Work Plan for Parcel #2 the County Executive shall execute on behalf of the County any documents necessary to convey title to Parcel #2 to T Roof Industries LLC by a Deed by Assignment which shall be drafted by the Enforcing Officer in conjunction with the Albany County Attorney's Office without any further sum of money or other consideration being paid, nor owing, to the County by T Roof Industries LLC, and, be it further

RESOLVED, That the County Executive is hereby authorized to take such actions as are necessary and appropriate to effectuate the foregoing, and, be it is further

RESOLVED, That the authorization to convey the aforementioned properties shall expire on December 31, 2021 and is hereby authorized to be extended for a two (2) year period by the County Executive, subject to T Roof Industries LLC, having taken title to Parcel #1, by that date, and upon having provided the County Executive with documented proof of ongoing progress having been made with respect to T-Roof Industries LLC reaching an agreement with NYS DEC for a Remedial Work Plan for Parcel #2, and, be it further

RESOLVED, That the County Attorney is authorized to approve said conveyances as to form and content, and, be it further

RESOLVED, that the Clerk of the County Legislature is directed to forward certified copies of this Resolution to the appropriate County Officials.

*Adopted by unanimous vote – 5/11/20*